

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE SUBPOENA DUCES TECUM
directed to non-party Plants and Goodwin,
Inc. in connection with

McEvoy, et al. v. Diversified Energy Company PLC, et al., N.D. W. Va., Case No. 5:22-cv-00171-JPB

Miscellaneous Action No. _____

MOTION TO COMPEL COMPLIANCE WITH SUBPOENA *DUCES TECUM*

Diversified Energy Company PLC, Diversified Production LLC, and Diversified Gas & Oil Corporation (collectively, “Diversified”), by and through their undersigned counsel, respectfully request the Court, as the district of compliance, to compel Plants and Goodwin, Inc. to produce documents responsive to Requests 1 through 7 of the Subpoena *Duces Tecum* attached hereto as Exhibit A. The grounds for this Motion are set forth in Diversified’s Brief in Support which is being filed simultaneously herewith and is incorporated by reference.

Dated: May 10, 2023

Respectfully submitted:

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CERTIFICATE OF GOOD FAITH EFFORT TO CONFER

I, Timothy E. Gates, hereby certify that co-counsel for Diversified has in good faith conferred with counsel for the subpoenaed party, Plants and Goodwin, Inc., Timur R. Dikec, Esquire in an effort to obtain discovery subject to this motion without court action. The efforts have been fruitless and Mr. Dikec has advised counsel that Plants and Goodwin, Inc. will stand on its objections and will not produce records, specifically with regard to requests 1 through 7 in the subpoena.

/s/ Timothy E. Gates
Timothy E. Gates

Date: May 10, 2023

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on May 10, 2023 a copy of the foregoing was served by U.S. mail and by e-mail upon the following:

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